

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Miguel Angel SALAZAR-Carrera,

Defendant.

Mag. Case No.

'08 MJ 8584

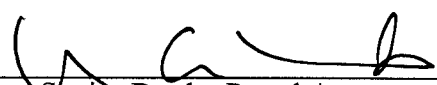
COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326
Attempted Entry After Deportation

The undersigned complainant being duly sworn states:

On or about June 27, 2008, within the Southern District of California, defendant Miguel Angel SALAZAR-Carrera, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e. conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported or removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act, to wit, crossing the border from Mexico into the United States, that was a substantial step towards committing the offense, all in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 30th DAY OF JUNE 2008.


PETER C. LEWIS
U.S. MAGISTRATE JUDGE

I, Senior Border Patrol Agent Miranda declare under penalty of Perjury, the following is true and correct:

PROBABLE CAUSE STATEMENT

The complainant states that this complaint is based upon the investigative reports of Border Patrol Agent M. Lemus, that the Defendant, Miguel Angel SALAZAR-Carrera a native and citizen of Mexico, was found and arrested on or about June 27, 2008, in Calexico, California. At approximately 1:10 a.m. the Calexico Border Patrol Station Remote Video Surveillance System Operator (RVSS) reported to Agent O. Munoz he observed an individual make an illegal entry into the United States. Agent Munoz responded to the location the RVSS operator referred to and located an individual later identified as Miguel Angel SALAZAR-Carrera. As Agent Munoz approached SALAZAR and identified himself, he questioned SALAZAR. It was determined SALAZAR is a citizen of Mexico illegally in the United States. SALAZAR was placed under arrest.

Once at the Station, a record check of SALAZAR revealed he has been previously removed from the United States on June 23, 1998. A further record check of SALAZAR revealed he has an extensive and serious criminal and immigration history.

Agent Leep witnessed Agent Gurrola read SALAZAR his rights per Miranda. SALAZAR stated he understands his rights and was willing to talk to the agents without the presence of an attorney. SALAZAR was asked if he requested permission from the Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States, SALAZAR stated "No." SALAZAR was asked if he intentionally enter the United States illegally and he stated "Yes." SALAZAR stated he intended to stay in the United States as long as possible.

Executed on June 28, at 9:00 AM.



Marco Miranda
Senior Border Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page, I find Probable Cause to believe that the defendant named in this probable cause statement committed the offense on June 27, 2008 in violation of Title 8, United States Code, 1326



United States Magistrate Judge

6/28/08 0900
Date/Time

6/28/08 at 9:30 AM